IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SIXTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 19340 of 2004

Between:

T.L.S.Bhaskar, S/o.TAN Gupta,
Research Scholar, R/o.Central University Campus, Hyderabad 46.

..... PETITIONER

AND

1 The Vice-Chancellor, Central University, University of Hyderabad,
P.O.Central University Campus, Hyderabad, A.P., India.
2 V.Prabhakar Rao, Assistant Registrar (P.I) Central University,
C/o.Registrar's office, personnel section, HCU Campus,
Gachi Bowli, R.R.District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more particularly one in the nature of "writ of Mandamus" to direct the Respondent No.2 and other respondents not to proceed with the enquiry till pending the Criminal case No.646 of 2004, otherwise petitioner will suffer irreparable loss.

Counsel for the Petitioner: MR.M.PRATAP SINGH, Advocate.

Counsel for the Respondents: MR.C.V.NAGARJUNA REDDY

The Court made the following:

Oral Order:

Learned counsel for the petitioner is not in a position to explain the nature of enquiry for which the petitioner was called upon to appear before the Presenting Officer and Assistant Registrar of the respondent-University, but only submitted that any finding recorded by the Enquiry Committee to the misdeeds of the petitioner, if any, will be produced before the Criminal Court where C.C.No.646 of 2004 is registered against the petitioner for the offence under Section 153(A)(a) IPC. He also submits that any action taken or observation made by the University in the enquiry cannot be taken into consideration by the Criminal Court.

It is well settled that Criminal Court can proceed with the matter as per the charge and the evidence adduced during the course of trial and uninfluenced by any action taken against the petitioner by the University as disciplinary measure.

The writ petition is accordingly dismissed. No costs.

_____ A.GOPAL REDDY, J.

26-10-2004

Murthy

ASSISTANT. REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Vice-Chancellor, Central University, University of Hyderabad,
P.O.Central University Campus, Hyderabad, A.P., India.
2 Assistant Registrar (P.I) Central University,
C/o.Registrar's office, personnel section, HCU Campus,
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3. Two CD copies.